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STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission  
RAIL SAFETY SECTION

RIVERWOODS NORTH AURORA, L.L.C. and  
VILLAGE OF NORTH AURORA, Kane County,  
Illinois,

Petitioners

vs.

BURLINGTON NORTHERN AND SANTA FE  
RAILWAY COMPANY

and

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION,

Respondents

No. T05-0013

Petition for an Order of the Illinois Commerce Commission authorizing the improvement of the existing grade crossing at Riverwoods Lane with the track of the Burlington Northern and Santa Fe Railway Company, in the Village of North Aurora, Kane County, Illinois, directing thereon the installation of automatic protection devices and reconstruction of the crossing proper and dividing the cost among the parties herewith.

**RESPONSE TO FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
FILED BY BNSF RAILWAY COMPANY**

Now comes Petitioner, RIVERWOODS NORTH AURORA, L.L.C. (hereinafter referred to as "Riverwoods") by Edward P. Graham, its attorney and pursuant to 83 Illinois Administrative Code Section 200.410 submits the following response to the First Request for Production of Documents filed by Respondent, Burlington Northern and Santa Fe Railway Company ("BNSF"):

1. None other than the Redevelopment Agreement by and between the Village of North Aurora, an Illinois Municipal Corporation and Riverwoods dated December 13, 2004 previously furnished by the Village of North Aurora in its response.

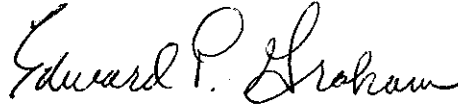
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2. None other than the Redevelopment Agreement by and between the Village of North Aurora, an Illinois Municipal Corporation and Riverwoods dated December 13, 2004 previously furnished by the Village of North Aurora in its response.

Respectfully submitted,

RIVERWOODS NORTH AURORA, L.L.C.



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BY: EDWARD P. GRAHAM, One of its Attorneys

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630.357.2333

STATE OF ILLINOIS     )  
                                      )  
COUNTY OF DUPAGE    )

PROOF OF SERVICE

I, Dayna R. Salzman, hereby certify that I have served true and correct copies of the foregoing response to those individuals identified below, by depositing them in envelopes properly stamped and addressed in the United States Mail in Naperville, Illinois on the 15 day of April, 2005.

Mr. Michael L. Sazdanoff  
Kenneth J. Wysoglad & Associates  
Attorneys for Respondent  
BNSF Railway Company  
118 S. Clinton Street  
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Chicago, Illinois 60661

Mr. Victor A. Modeer  
Director of Highways-IDOT  
Attn: Mr. Jeff Harpring, Room 205  
2300 South Dirksen Parkway  
Springfield, Illinois 62764

Mr. Brian Vercruysse, P.E.  
Railroad Safety Specialist III  
Transportation Division  
Illinois Commerce Commission  
527 W. Capitol Avenue  
Springfield, Illinois 62706

Dayna R. Salzman

SUBSCRIBED AND SWORN to before me this 15th day of April, 2005.

Melissa Adele Grahonya  
NOTARY PUBLIC

